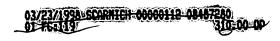
MT/68.1633



B6/B12 DIV 3

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

In re application of	:	Charles Weissmann	\int_{0}^{∞}
b.		4	RECEIVED 3
Serial No.	:	08/487,280	MAR 2 4 1998
Filed	:	June 7, 1995	•
For	:	DNA SEQUENCES AND PROCESSES INTERFERON-LIKE	GROUP 1800 RECOMBINANT DNA MOLECULES FOR PRODUCING HUMAN E POLYPEPTIDES
Group Art Unit	:	1804	
Examiner	:	James Martinell	
		,	New York, New York March 16, 1998
Honorable Commissi BOX AF Washington, D.C. 20		Patents and Trademarl	cs
		NOTICE OF A	PPEAL
Sir:			
			rd of Appeals from the decision of the hich the rejection of claims 37-55 was
00000113 08/appapriate fo	ee is sub	omitted herewith.	ng before the Board of Appeals. The
[] The appropri	ate fee f	or amonth extension	on of time to respond to the final rejection



was timely paid on ______.

- [X] No extension of time to respond to the final rejection is required. Applicant responded to the final rejection within two months thereof. Applicant has not as yet received an Advisory Action. Last week Examiner Martinell indicated that he will issue an Advisory Action suspending further prosecution in this case pending an interference. Because applicant has not received the Advisory Action and this is the six-month statutory date, applicant is filing this Notice of Appeal as a precautionary measure.
- [X] Address all correspondence to:

James F. Haley, Jr.
Registration No. 27,794
c/o FISH & NEAVE
1251 Avenue of the Americas
New York, New York 10020-1104
Tel.: (212) 596-9000

- [X] A check in the amount of [] \$310.00 [X] \$580.00 in payment of the [] appeal fee, [X] appeal and oral hearing fees is enclosed.
- [X] The Commissioner is hereby authorized to charge payment of any additional appeal fee, oral hearing fee, or both, or to credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this Notice of Appeal form is enclosed.
- [] Please charge [] \$310.00 [] \$580.00 to Deposit Account No. 06-1075 in payment of the [] appeal fee; [] appeal and oral hearing fees. A duplicate copy of this Notice of Appeal form is enclosed.

EXTENSION FEE

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- [] The following extension fee is applicable to the Notice of Appeal filed herewith; [] \$110.00 extension fee for response within first month pursuant to 37 C.F.R. § 1.136(a); [] \$400.00 extension fee for response within second month pursuant to 37 C.F.R. § 1.136(a); [] \$950.00 extension fee for response within third month pursuant to 37 C.F.R. § 1.136(a); [] \$1,510.00 extension fee for response within fourth month pursuant to 37 C.F.R. § 1.136(a); [] \$2,060.00 extension fee for response within fifth month pursuant to 37 C.F.R. 1.136(a).
 - [] A check in the amount of [] \$110.00; [] \$400.00; [] \$950.00; [] \$1,510.00; [] \$2,060.00; in payment of the extension fee is transmitted herewith.
 - [X] The Commissioner is hereby authorized to charge payment of any additional fee required under 37 C.F.R. § 1.17, or to credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this Notice of Appeal form is enclosed.

[] Please charge the [] \$110.00; [] \$400.00; [] \$950.00; [] \$1,510.00; [] \$2,060.00; extension fee to Deposit Account No. 06-1075. A duplicate copy of this Notice of Appeal form is enclosed.

Respectfully submitted,

James F. Haley, Jr. (Reg. No. 27,794)

Jennifer T. Weissman (Reg. No. 40,868)

Attorneys for Applicant

c/o FISH & NEAVE

1251 Avenue of the Americas

New York, New York 10020-1104

Tel.: (212) 596-9000

Correspondence is being
Deposited with the U.S.
Postal Service as First
Class Mail in an Envelope
Addressed to: ASSISTANT
COMMISSIONER FOR PATENTS
WISHINGTON D.C. 20231, on
Thomas Outhores
Name correspond Signing